

PROCEEDINGS OF THE COMMON COUNCIL

IN REGULAR SESSION

TUESDAY, JUNE 12, 19 79

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening June 12 A.D., 19 79, in
Regular Session. President Winfield C. Moses, Jr. in the chair,
and Charles W. Westerman Clerk, at the desk, present the following

members _____ viz:

BURNS ✓, HINGA ✓, HUNTER ✓,

MOSES ✓, NUCKOLS A, DONALD SCHMIDT ✓,

VIVIAN SCHMIDT A, STIER ✓, TALARICO ✓,

ABSENT _____

COUNCILMAN _____, _____, _____,

_____, _____, _____,

The invocation was given by _____

Received report from the City Controller for the month of _____,

19 _____. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular _____ May 22, 19 79,

_____, 19 _____,

Special _____, 19 _____,

Session having been delivered to the Council, were, on motion, approved and
published.

President of the Common Council

City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 35/79/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record
and incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,



Terry Coonan, Chairman
Board of Public Safety

6-12
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 35/79/E)

I hereby certify that I did this 29th day of May, 19 79 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 35/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.



CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 35/79/E

(Adopted May 29, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 20/79/E:

NO PARKING (TEMPORARY) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated May 24, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

May 29, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (TEMPORARY) (EMERGENCY)

Broadway (portions of) -- both sides -- from Berry St. to Rudisill Blvd.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 36/79/E

For the purpose of enforcement, please make this communications
and the attached Regulatory Resolutions a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,



Terry Coonan, Chairman
Board of Public Safety

6-12 MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 36/79/ E)

I hereby certify that I did this 31st day of
May, 1979 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 36/79/ E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Jerry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 36/79/E

(Adopted May 31, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 21/79/E:

STOP INTERSECTION (EMERGENCY): 90 MINUTE PARKING 8:00 AM to

6:00 PM (EMERGENCY): TWO HOUR PARKING 8:00 AM to 6:00 PM

(EMERGENCY): DELETE: NO PARKING (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated May 29, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

May 31, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Woodshire Dr. -- stop -- for Northgate Blvd.

90 MINUTE PARKING 8:00 AM to 6:00 PM (EMERGENCY)

Delaware Ave. -- both sides -- from Kensington Blvd. to Pemberton Dr.

TWO HOUR PARKING 8:00 AM to 6:00 PM (EMERGENCY)

Berry St. -- north side -- from Maiden Lane to 100 ft. east of Ewing St.

DELETE:
NO PARKING (EMERGENCY)

Berry St. -- north side -- from Maiden Lane to 100 ft. east of Ewing St.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 37/79/E
38/79/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,

Terry Coonan
Terry Coonan, Chairman
Board of Public Safety

6-12
DATE _____ MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 37/79/E
38/79/E)

I hereby certify that I did this 4th day of
June, 19 79 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 37/79/E of the Board of Public
38/79/E
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Jerry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 37/79/E

(Adopted June 4, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 22/79/E:

NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated May 31, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 4, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

No. Clinton St. -- both sides -- from Penn Ave. to Coldwater Rd.

Coldwater Rd. -- both sides -- from Coliseum Blvd. to No. Clinton St.

Edgewood Ave. -- both sides -- from Northrop St. to No. Clinton St.

REGULATORY RESOLUTION NO. 38/79/E

(Adopted June 4, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to NO PARKING (EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum

dated May 31, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 4, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Winchester Rd. -- both sides -- from Lower Huntington Rd. to 400 ft. North thereof.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board
of Public Safety Regulatory Resolution Numbers: 39/79/E
40/79/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record
and incorporate them into the minutes of the next Common
Council Meeting.

Respectfully submitted,



Terry Coonan, Chairman
Board of Public Safety

6-12
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 39/79/E
40/79/D)

I hereby certify that I did this 8th day of
June, 19 79 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 39/79/E
40/79/D of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Jerry Conan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 39/79/E

(Adopted June 8, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 7, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 8, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Brighton Dr. -- west side -- from Camden Dr. to Catalina Ave.

REGULATORY RESOLUTION NO. 40/79/D

(Adopted June 8, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION

(DELEGATED)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 7, 1979, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

June 8, 19 79, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Brighton Dr. -- preferential at Stratton Rd.

Hastings Rd. -- preferential at Bellfast Dr.

Pittsburgh St. -- preferential at Sidney St.

Winch St. -- preferential at Sidney St.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 41/79/E
42/79/D
43/79/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

6-12-79
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 41/79/E
42/79/D
43/79/E)

I hereby certify that I did this 12th day of
June, 19 79 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 41/79/E
42/79/D of the Board of Public
43/79/E
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Jerry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 41/79/E

(Adopted June 12, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to NO PARKING (EMERGENCY)

_____ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 8, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 12, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Harrison St. -- east side -- from Main St. to Superior St.

REGULATORY RESOLUTION NO. 42/79/D

(Adopted June 12, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to DELETE: PREFERENTIAL
INTERSECTION (DELEGATED)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 11, 1979, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

June 12, 1979, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:
PREFERENTIAL INTERSECTION (DELEGATED)

Drexel Ave. -- preferential -- at Fruehauf Dr.

(Adopted June 12, 1979)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

Fruehauf Dr. -- stop -- for Drexel Ave.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 44/79/E
45/79/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

6-12-79
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 45/79/E
44/79/E)

I hereby certify that I did this 13th day of
June, 1979 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 44/79/E
45/79/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Jerry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 44/79/E

(Adopted June 13, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 23/79/E:

THRU STREET (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated June 11, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 13, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET (EMERGENCY)

Goshen Rd. -- from -- State Blvd. to Coliseum Blvd., except at State Blvd., Sherman Blvd., and Coliseum Blvd.

REGULATORY RESOLUTION NO. 45/79/E

(Adopted June 13, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 24/79/E for final trial period: TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY); DELETE: ONE HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 12, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

June 13, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

Barr St. -- east side -- Berry St. to Wayne St.
Berry St. -- north side -- Barr St. to Lafayette St.
Harrison St. -- east side -- Main St. to Superior St.
Harrison St. -- west side -- Berry St. to Main St.
Harrison St. -- west side -- Washington Blvd. to Wayne St.
Wayne St. -- both sides -- Harrison St. to Webster St.
Wayne St. -- north side -- Clinton St. to Barr St.
Calhoun St. -- both sides -- Clair St. to Superior St.

DELETE:

ONE HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

Barr St. -- east side -- Berry St. to Wayne St.
Berry St. -- north side -- Barr St. to Lafayette St.
Harrison St. -- east side -- Main St. to Superior St.
Harrison St. -- west side -- Berry St. to Main St.
Harrison St. -- west side -- Washington Blvd. to Wayne St.
Wayne St. -- both sides -- Harrison St. to Webster St.
Wayne St. -- north side -- Clinton St. to Barr St.
Calhoun St. -- both sides -- Clair St. to Superior St.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

vivian g. schmidt

councilwoman-at-large

June 8, 1979

To the Common Council
Fort Wayne, Indiana

Gentlemen:

I shall not be present at the Common Council meeting on
June 12, 1979, as I shall be out of the city at that time.

Sincerely yours,

Vivian G. Schmidt
Councilwoman-at-large

6-12-79
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

john nuckols

councilman, 1st district

2419 winch 46803

June 8, 1979

To the members of Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

I will be unable to attend this evening's meeting because
of out of town commitments.

Sincerely yours,

John Nuckols
Councilman, 1st District

6-12-79.
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

MADE A MATTER OF RECORD
DATE 6-1-79 CHARLES W. WESTERMAN, CITY CLERK

June 1, 1979

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today June 1, 1979, I have approved the following ordinances passed by the Common Council at its regular meeting on May 22, 1979.

(Bill No. A-79-04-10)
APPROPRIATION ORDINANCE NO. A-09-79

AN ORDINANCE of the City of Fort Wayne, Indiana, appropriating the sum of Two Million Six Hundred Thousand Dollars (\$2,600,000) to be applied on the cost of improving Baer Field, an airport owned and operated by The City of Fort Wayne, and expenses incurred in connection therewith

(Bill No. S-79-04-11)
SPECIAL ORDINANCE NO. S-74-79

AN ORDINANCE of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of the City for the purpose of providing funds to be applied on the cost of improving Baer Field and expenses incurred in connection therewith

(Bill No. S-79-04-13)
SPECIAL ORDINANCE NO. S-75-79

AN ORDINANCE approving an Agreement to Purchase by Jessie Kidd

(Bill No. S-79-04-14)
SPECIAL ORDINANCE NO. S-76-79

AN ORDINANCE approving Civil City Purchase Order No. 4-06184 with Morton Salt Company for Salt for the Street Department

(Bill No. S-79-05-21)
SPECIAL ORDINANCE NO. S-77-79

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF \$5,375,000 REVENUE



OBLIGATIONS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF MAKING A LOAN TO ST. JOSEPH MEDICAL BUILDING ASSOCIATES IN ORDER TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN ECONOMIC DEVELOPMENT FACILITIES: AND AUTHORIZING EXECUTION OF A LOAN AGREEMENT, INDENTURE OF TRUST AND OTHER DOCUMENTS IN CONNECTION THEREWITH

(Bill No. S-79-05-22)
SPECIAL ORDINANCE NO. S-78-79

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1979 (GAST REALTY CORPORATION)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. R-79-05-06)
RESOLUTION NO. R-19-79

A RESOLUTION authorizing payment to Allen County Motors for repair of vehicle

(Bill No. R-79-05-23)
RESOLUTION NO. R-20-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$325,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-79-05-24)
RESOLUTION NO. R-21-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$6,500,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the applicant to proceed with the acquisition construction and equipping of the Project

(Bill No. R-79-05-27)
RESOLUTION NO. R-22-79

A RESOLUTION finding, determining and ratifying an inducemtn resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$700,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. Z-79-03-18)
ZONING MAP ORDINANCE NO. Z-16-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-2

(Bill No. Z-79-03-21)
ZONING MAP ORDINANCE NO. Z-17-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-38 and
Repealing Zoning Map Ordinance No. Z-15-78

(Bill No. Z-78-03-22)
ZONING MAP ORDINANCE NO. Z-18-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G2

(Bill No. G-79-03-17)
GENERAL ORDINANCE NO. G-11-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation
of a certain alley

(Bill No. S-79-04-19)
SPECIAL ORDINANCE NO. S-79-79

AN ORDINANCE approving an Agreement with Westwood Development, Inc., for
construction of a sanitary sewer

(Bill No. S-79-04-20)
SPECIAL ORDINANCE NO. S-80-79

AN ORDINANCE approving Sewer Contract No. 305-78, between the City of
Fort Wayne, Indiana and Land Excavating, Inc., Contractor, for Southtown Mall
Lift Station Elimination

(Bill No. S-79-04-21)
SPECIAL ORDINANCE NO. S-81-79

AN ORDINANCE approving an Agreement between City of Fort Wayne Board of
Works and Southtown Mall Development Company for construction of Hanna
Street - Tillman Road - Tillman Park Area Sanitary Sewer

(Bill No. S-79-04-22)
SPECIAL ORDINANCE NO. S-82-79

Page 4

AN ORDINANCE approving City Utilities Purchase Order No. 0998 with Fuller Company & K.E. Jensen Company for equipment for the Three Rivers Filtration Plant

(Bill No. S-79-04-23)

SPECIAL ORDINANCE NO. S-83-79

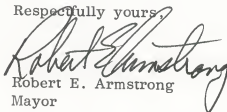
AN ORDINANCE approving City Utilities Purchase Order No. 001015 with American Darling for equipment for the Water Maintenance & Service Department

(Bill No. X-79-02-41)

ANNEXATION ORDINANCE NO. X-02-79

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3

Respectfully yours,

A handwritten signature in dark ink, appearing to read "Robert E. Armstrong", is written over the typed name and title.

Robert E. Armstrong
Mayor

Memorandum

To City Council Members Date May 23, 1979
From John Stafford CD&P
Subject Southtown Mall Extended Voluntary Annexation

COPIES TO:

W. Moses
Paul Burns
William Hinga
F. Hunter
J. Nuckols
D. Schmidt
V. Schmidt
James Stier
S. Talarico

Attached is a resolution from the City Plan Commission recommending that the proposed voluntary annexation of Southtown Mall Extended, Bill No. X-79-04-12, receive a DO PASS. A copy of the petition for voluntary annexation and of the fiscal plan are also attached. Our staff will be available to answer your questions on this matter.

SOUTHTOWN MALL-EXTENDED

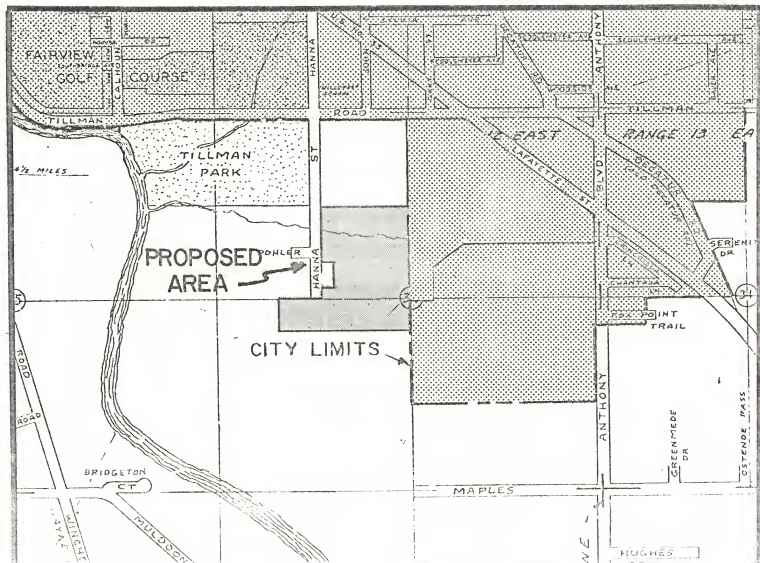
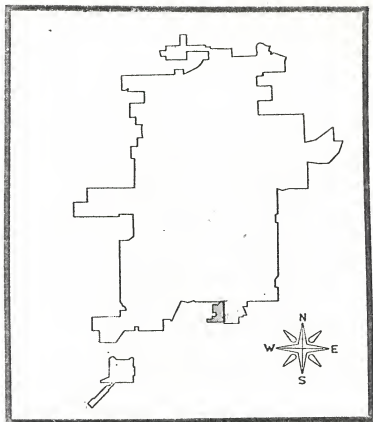
BILL NO. X-79-04-12

ORDINANCE NO.

EFFECTIVE DATE

CITY OF FORT WAYNE

CD. & P.



INTRODUCTION

The Fort Wayne community continues to grow every year, with most of the growth occurring outside the existing city limits. St. Joseph Township alone is expected to increase by more than 25,000 people between 1970 and 1990. As the community grows, the City must also grow in order to be financially capable of providing the municipal services demanded by residents of the urbanized areas. Annexation, or the redefinition of corporate limits, is one method a city may employ to keep up with the growth occurring in the community and insure the economic well-being of the city and its residents.¹

The Southtown Mall Extended annexation area, located south of the City, is needed by Southtown Mall for future expansion. The Mall serves the growing Fort Wayne community and will continue to do so after it is enlarged. The existing Mall area is within the City, as is most of the area to be included in a planned expansion. However, part of the expansion area is not in the City, nor is the land designated by the developer for future development.

The developer has proposed a voluntary annexation under I.C. 18-5-10-23. The proposed area is contiguous to the City. Annexation would eventually help the City's tax base. More importantly, annexation allows the City Plan Commission to have jurisdiction over the entire Mall and eases the delivery of municipal services, especially emergency services such as police and fire protection. Without annexation, service duplication and confusion as to jurisdiction are likely.

At this time, the land to be annexed is vacant. The developers of Southtown Mall have submitted to the City Plan Commission plans for expansion of the Mall. They have also designated the remainder of the annexation land for some sort of future development under the Mall's B2 Shopping Center Symbol.

The following report describes the area, sets forth a municipal service plan, summarizes the financial impact of annexation upon the City, and recommends a course of action. No assumptions are made as to the nature of the possible future development. (See Map I) Since Mall expansion plans are currently before the City Plan Commission they are used in the report for the data base.

1. Annexation: Policy and Program Study, Community Development and Planning, 1976.

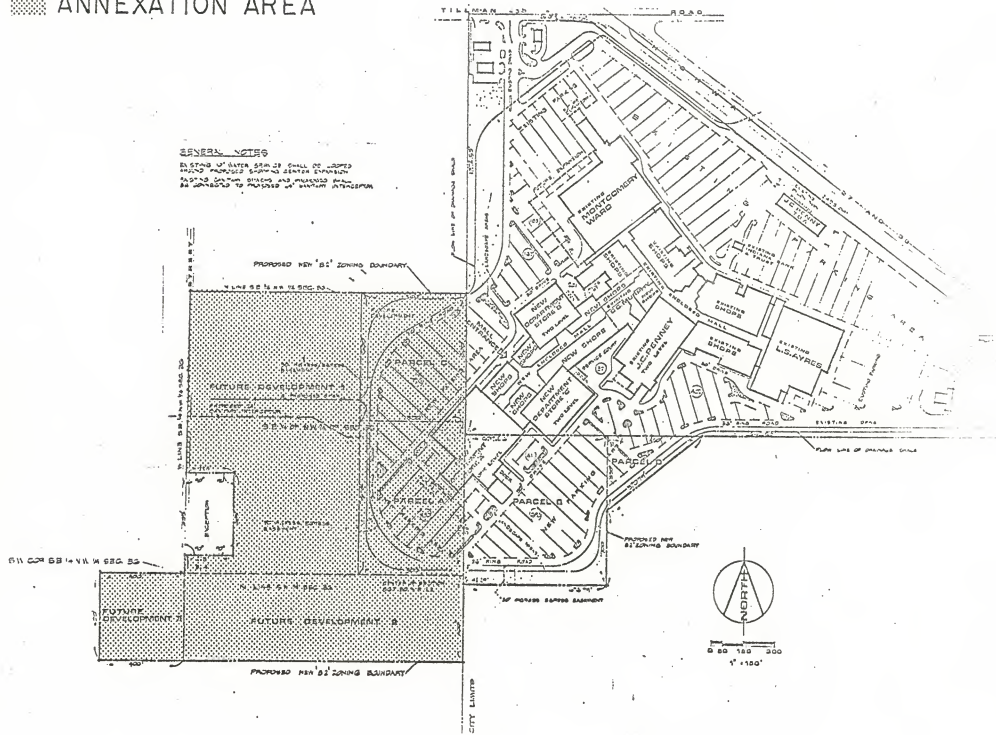
MAP I

SOUTHTOWN MALL EXPANSION

ANNEXATION AREA

GENERAL NOTES

EXISTING OF WATER MAINS SHALL BE ADJUSTED
 TO ACCOMMODATE THE PROPOSED EXPANSION
 ALL OTHER UTILITIES AND STRUCTURES SHALL
 BE ADJUSTED TO ACCOMMODATE THE PROPOSED EXPANSION



BASIC DATA

1. Location

South of Fort Wayne and immediately West of Southtown Mall in Wayne Township.

2. Size

53.5 Acres

3. Population/Density

There are no dwelling units in the annexation area. Therefore, there is no residential population.

4. Buildings

The land is currently vacant. In the plans for the Mall's expansion, part of one building will be in the annexation area. This will be a commercial structure and should be in good to excellent condition.

5. Land Use

Currently the entire area is vacant. After the Mall is expanded a small portion, about one-half of a large department store, will be in the territory. Roughly 15 acres or less will be used for parking. The rest of the 53.5 acre annexation area is set for an undetermined future development and could remain vacant for several years.

6. Zoning

The entire area is zoned RA with a B2 Shopping Center Symbol.

7. Planning

At this time, the annexation area is vacant. It is needed for the proposed and possible future development of the Mall and therefore, of the urbanized area. Thus, the land is needed for Fort Wayne's future development and is thirty percent (30%) contiguous to the corporate limits.

Annexation allows for growth in the City's tax base, single planning jurisdiction for the entire Mall, and a more efficient provision of municipal services, such as police and fire protection, and emergency medical service.

MUNICIPAL SERVICES

State law requires that within three (3) years of annexation, the City provides the annexed area with "governmental and proprietary services substantially equivalent in standard and scope" to the services provided similar areas in the City. (I.C. 18-5-10-25 (c)). This report contains a fiscal plan for doing so.

In 1970 the Fort Wayne City Council adopted Resolution No. R-83-70 (Bill No. R-70-07-24) that set forth a policy for providing services to newly annexed areas. This plan follows the directives of Resolution R-83-70 while conforming to existing laws, rules and regulations.

Municipal services are analyzed in terms of the needs of the Southtown Mall Extended annexation area and the costs of providing the services to the area. As required by Indiana law, services will be provided in a manner that treats the annexation area the same way as similar areas in the City are treated. Services will be at City standard, and, where necessary for items such as new street lighting, the standard service provision process will be used just as it is used elsewhere in the City of Fort Wayne.

The City of Fort Wayne will provide police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance immediately upon annexation. New streets and roads, street lighting and other capital improvements will be provided in accordance with standard procedures. The same applies to sanitary and storm sewer service and water service.

All the following service reports are based on the current development pattern in the area. Plans for the Mall's expansion are currently being reviewed. Much of the territory is designated for an unspecified future development. All of the area is under a shopping center symbol.

No assumptions are made as to the timing of the future development, or its character, even though some sort of commercial development is most likely.

1. Police

The Fort Wayne Police Department will become responsible for servicing the Southtown Mall Extended area immediately upon annexation. This service generally includes the prevention and detection of criminal activity, the apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, the resolution of day to day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is also involved in legal work such as participation in court proceedings and protection of constitutional guarantees. Furthermore, it is responsible for the control of traffic and the promotion and preservation of civil order.

Providing police protection to this area will not create a measurable cost. The Police Department will have almost all of the Mall area within its jurisdiction apart from this annexation the area to be added includes part of one building, parking area and 35 acres to 40 acres of vacant ground that is likely to remain that way for some time. Even without annexation the Police Department would probably be covering the area, since it would be almost impossible to decide if calls for emergency service were in the small portion of the area remaining outside the City.

Local taxes, through the General Fund, will pay for any costs that do evolve.

2. Fire

The Fort Wayne Fire Department will provide service to the area immediately upon annexation. First response will come from Station #12 on South Anthony. The Fire Department is already serving Southtown Mall and the annexation will add vacant ground, a parking lot, and part of one store. As with Police service, it is virtually impossible to determine how much additional cost this would entail. After all, the Fire Department will be serving nearly the entire Mall without annexation. And in emergencies, would respond to all calls from the Mall. Finally, there are not reliable methods for estimating potential calls from part of a store and a parking lot.

The future development areas will receive service as needed. Until they are developed, that need should be negligible. The timing and extent of that future development cannot be predicted so not costs are set out.

In summary, operating costs will be paid for with General Fund monies, but these costs due to annexation are projected as being nil.

3. Emergency Medical Service (EMS)

Upon annexation, people in the Southtown Mall Extended territory will have, at their convenience, full time Emergency Medical Services. This includes ambulance coverage and first aid treatment to victims of heart attacks, automobile and other accidents, and to others requiring immediate medical attention. On certain runs, the Fort Wayne Fire Department will provide extra assistance.

Response time will be within the acceptable range and should be the same as that for the rest of Southtown Mall.

EMS will be serving all of Southtown and this annexation adds vacant ground, a parking lot, and part of one store. No cost estimates are possible for basically the same reasons as apply to police and fire protection. Still full service will be available to the area should an emergency occur. Funding will be from the General Fund.

Again, no effort is being made to predict costs from unknowable development in the future development areas.

4. Solid Waste Collection

There will be no cost to the City for solid waste collection as service is not provided to commercial structures and there are no residential units in the area.

5. Traffic Control

All costs will be borne by the developer as there are no public road right-of-ways in the annexation area itself.

6. Street Lighting

As the City does not have public road right-of-way in the annexation area, there will be no public street lighting expenses. The Street Lighting Engineer will review the lighting installed in the outside public areas of the Mall expansion and make sure that lighting, for the parking lots, for example, meets City standards. Installation, maintenance and energy costs will be borne by the developer.

All lighting in the future development area will be paid for by the developer with City review of specifications.

7. Streets and Roads

There will be no public streets in the annexation area so no services will be provided within the area. Access off of the public streets (Hanna) into the future development areas will be reviewed by public bodies, but no improvement costs should be incurred.

8. Parks

No parks will be provided. There are no residents in the area and the land ownership and use is not appropriate for developing a park.

FORT WAYNE UTILITIES

Water and Sewer services will be provided the area by City Utilities. These services are paid for with user charges and tap fees and not through Civil City tax revenues.

1. Water

The proposed Mall extension will be served by City Utilities water mains installed at City standard and paid for by the developer.

When the future development area is developed it can be served by extending a main along Hanna Street from Tillman Road if it is determined to be needed. The developer of the land in the annexation area will pay all on-site costs. That means that in this case, all water utility costs in the annexation area itself will be the responsibility of the developer. City Utilities has a 16" main on Tillman and a 12" extension along Hanna Street could be needed once the nature of the future development is established.

2. Fire Hydrants

Adequate fire hydrants to serve the Mall extension, and the part within the annexation area, will be required of the developer. The same applies to the future development area when it is developed.

As it now stands, Southtown Mall will be responsible for the costs involved with hydrants associated with the Mall itself. Since there are no hydrants in the future development area at the time, there are no rental costs to the city.

3. Sewers

A 24" sanitary interceptor will be constructed under City Utilities' supervision to serve the Mall extension and areas to the west all the way to the St. Mary's River. This interceptor will be available for development that takes place in the future development areas. On site costs will be paid by the developers. No tax money will be used for this sewer, so annexation does not add any utility costs for the Civil City.

4. Storm Drainage

Drainage from the proposed parking lots will be by way of a surface drainage easement which will lead to a proposed ditch running through the future development area. All drainage facilities will be built by the developers at their cost and must conform to City standards and requirements. Maintenance responsibility for the Mall expansion has yet to be determined. No costs to the Civil City are anticipated.

FINANCIAL SUMMARY

Since much of the area is about to be transformed by construction, current assessed values do not accurately measure what can be reasonably expected in the near future. Also, the future development area will be assessed a higher rate in the next assessment because the land was recently rezoned.

The land is currently assessed at roughly \$100 per acre. Therefore, total assessed value is in the vicinity of \$5300. But, this will be rendered too low once the Mall expansion takes place. Without development, tax revenue would be $3.90 \times 53 = \$206$ a year.

Since there are no annual costs involved in serving the area, the City will gain a minimum of \$206 a year from this annexation.

Once the Mall expansion is completed the costs could go up slightly, but revenue will go up significantly.

It is the position of this plan that costs and revenues can not be calculated for the future development area. The exact nature and timing of the development is unknown at this time and speculation for this summary is unwarranted. Interestingly though, experience shows that there is a net gain of revenue over cost to the City from commercial areas. And, commercial development at some time is the most probable for the future development areas.

SUMMARY and RECOMMENDATION

1. Indiana Annexation Statutes

As a voluntary annexation the area comes under I.C. 18-5-10-23. Since the area is contiguous, and over 51% of the owners of the land, 100% in fact, have petitioned for annexation, annexation of the territory is legal.

The area also meets the future development criteria of I.C. 18-5-10-25 by being more than 25% contiguous with the City on its aggregate external boundaries and needed for future development of the City. Southtown Mall Extended is 30% contiguous and is clearly needed for future development as evidenced by the Southtown Mall Expansion proposal before the City Plan Commission.

Under IC 18-5-10-25 a fiscal plan for annexation is required. The law states that,

"The annexing City has developed a fiscal plan and has established a definite policy to furnish the territory to be annexed within a period of three (3) years, governmental and proprietary services substantially equivalent in standard and scope" to those provided to similar areas within the City.

This plan includes a plan for doing so and is supported by Common Council Resolution R-83-70.

2. Fort Wayne's Annexation Policy

The Fort Wayne City Council has considered having other annexation criteria in addition to those set forth by the State Statutes:

- A. The area proposed for annexation must have a unity of interest with the municipality.

Southtown Mall is already in the City. Most of the expansion also will be. City Utilities is providing necessary services and the City Plan Commission is reviewing the Mall's development plans. City residents do use the Mall for shopping.

- B. The advantages to the proposed annexation area must outweigh the disadvantages.

The Mall will benefit from being in one planning jurisdiction and having emergency services provided by the City only instead of by the City, County, and Township. Taxes will however, be higher once the area is annexed.

- C. The advantages to the City must outweigh the disadvantages.

The City would grow along with the urban area, thereby providing a strong tax base and the ability to provide adequate services. Also, planning jurisdiction will be clearer. The cost of extension of services is modest.

- D. The deficit of income against expenses to the City must not be unreasonable.

At this time there will be a modest surplus of income to expenses. When the Mall is expanded this will increase.

- E. The City must desire to annex the area.

The Southtown Mall Extended area is a part of the Fort Wayne Urban area. Singular planning jurisdiction and efficiency in providing services are desirable for the City.

It is with careful thought and consideration that the Department of Community Development and Planning recommends that this area be annexed to the City of Fort Wayne, as it meets both the legal and local criteria for an acceptable and beneficial annexation.

3/15/79

PETITION FOR VOLUNTARY ANNEXATION

The undersigned, being all of the owners in fee simple hereinafter described real estate, hereby respectfully petition the Common Council of the City of Fort Wayne, State of Indiana, for voluntary annexation to the City of Fort Wayne in the State of Indiana, said real estate being described as follows:

PARCEL A

A part of the Southeast Quarter of the Northwest Quarter of Section 36, Township 30 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Beginning on the east line of said quarter-quarter section, South 00 degrees 00 minutes 11 seconds West (assumed bearing) 1915.43 feet from the northeast corner of said Northwest Quarter Section; thence South 00 degrees 00 minutes 11 seconds West along said east line 715.42 feet to the southeast corner of said quarter-quarter section; thence North 89 degrees 41 minutes 41 seconds West along the south line of said quarter-quarter section 500.00 feet; thence North 00 degrees 00 minutes 11 seconds East 715.78 feet; thence South 39 degrees 39 minutes 16 seconds East parallel with the north line of said quarter-quarter section 500.00 feet to the point of beginning, containing 8.214 acres, more or less, subject to all legal highways, rights-of-way and easements.

AND

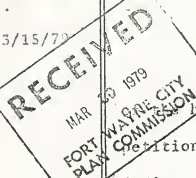
PARCEL B

A part of the Southeast Quarter of the Northwest Quarter of Section 36, Township 30 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Beginning at the northeast corner of said quarter-quarter section, South 00 degrees 00 minutes 11 seconds West (assumed bearing) 1315.43 feet from the northeast corner of said Northwest Quarter Section; thence South 00 degrees 00 minutes 11 seconds West along the east line of said quarter-quarter section 600.00 feet; thence North 89 degrees 39 minutes 16 seconds West parallel with the north line of said quarter-quarter section 500.00 feet; thence North 00 degrees 00 minutes 11 seconds East parallel with the east line of said quarter-quarter section 500.00 feet to the south line of said quarter-quarter section 500.00 feet; thence South 00 degrees 00 minutes 11 seconds West along said south line 500.00 feet to the point of beginning, containing 8.214 acres, more or less, subject to all legal highways, rights-of-way and easements.

ADAIR, PERRY, BEERS, MALLERS & LARMORE, ATTORNEYS, FORT WAYNE, INDIANA

17 APR 1979



ADAIR, PERRY, BEERS, WALLERS & LARMORE, ATTORNEYS, FORT WAYNE, INDIANA

16 seconds East along said north line 500.00 feet to the point of beginning, containing 6.837 acres, more or less, subject to all legal highways, rights-of-way and easements.

AND

A part of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, described as follows: All of the Southeast Quarter of the Northwest Quarter of said section containing 39.762 acres, more or less.

EXCEPT: Beginning Northerly 82.4 feet along the west line of said quarter-quarter section from the southwest corner of said quarter-quarter section; thence continuing Northerly 385.0 feet along said west line; thence Easterly 228 feet perpendicular to said west line; thence Southerly 385.0 feet parallel with said west line; thence Westerly 228 feet perpendicular to said west line to the point of beginning and containing 2.015 acres, more or less.

EXCEPT: Parcel A, as described above.

EXCEPT: Parcel B, as described above.

Containing after said exceptions 22.646 acres, more or less.


AND

The North 400 feet of the Northeast Quarter of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, containing 12.091 acres, more or less.

AND

The North 400 feet of the East 400 feet of the East Half of the Northwest Quarter of the Southwest Quarter of Section 36; Township 30 North, Range 12 East, Allen County, Indiana, containing 3.673 acres, more or less.

SOUTHTOWN LAND DEVELOPMENT COMPANY

By: 
Melvin Schenkel, General Partner

WELRAA 1000.

James J. Schenkel,
Vice President

Fut
Down

100
Acres
3



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

22 May 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated street.

The proposed ordinance is designated as:

Bill No. ²7-79-04-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
22nd day of May, 1979.

Thomas H. Adams

Thomas Adams
Secretary

MADE A MATTER OF RECORD
DATE 5-12 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

22 May 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) street vacation ordinance acted upon by the City Plan Commission at their regular meeting held May 21, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-04-08
2. Intended Use: Vacated right-of-way will be utilized by abutting property owners.
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. This portion of Hatfield Road serves no public purpose.

If there are any questions with regard to this ordinance, please feel free to call on us.

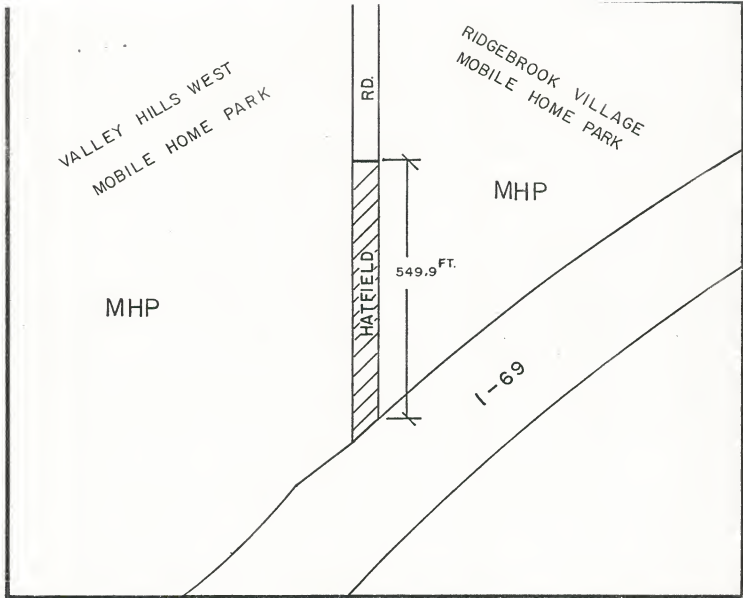
Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING
Division of Long Range Planning
and Zoning


Gary F. Baeten
Senior Planner

GFB:pb

Attachments



PART OF ROAD TO BE VACATED

MAP No. H-34, I-34

G-79-04-08



RESOLUTION

WHEREAS, JOHN DEHNER, INC., has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, to-wit:

Commencing at the southwest corner of Hatfield Road, where Hatfield Road intersects with Interstate Highway 69 then east to the east boundary line of Hatfield Road; then north, a distance of 549.9 feet; then west 50 feet to the west boundary line of Hatfield Road then south to the point of beginning

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on May 14, 1979 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets in Allen County, Indiana.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, Thomas Adams, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held May 14, 1979 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 22nd DAY OF May 19 79

FORT WAYNE CITY PLAN COMMISSION

Thomas A. Adams

Thomas Adams
Secretary

herein granted. Any damages to crops, fences, drains, ditches or buildings of the Grantors on lands of the Grantors adjoining the real estate above described, caused by the construction, operation and maintenance of any of the facilities covered by this easement, shall be paid for by the Grantee or Grantees causing such damage. All claims for damages caused in the construction, operation and maintenance of said facilities, shall be made at or mailed to the office of the Grantee or Grantees alleged to have caused such damage within thirty (30) days after such damage occurs. If Grantors and Grantees cannot agree on the amount of damages, the same shall be arbitrated.

IN WITNESS WHEREOF, the following have hereunto set their hands and seal this _____ day of _____, 1979.

JOHN DEHNER, INC.

BY: _____
President

BY: _____
Secretary

ACKNOWLEDGEMENT

STATE OF _____ SS:
COUNTY OF _____

Before me, the undersigned, a Notary Public in and for said County and State, this _____ day of _____, 1979, personally appeared the within named _____, Grantor in the above conveyance, and acknowledged the execution of the same to be their voluntary act and deed, for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, I have hereunto set my name and affixed my official seal.

Notary Public

My commission expires: _____

This instrument prepared by: Harvey M. Woodring

Grantor(s) certify under oath that no Indiana gross income tax is due or payable in respect to the transfer made by this deed.

GRANT OF EASEMENT

THIS INDENTURE WITNESSETH, That John Dehner, Inc., an Indiana corporation, for and in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged by John Dehner, Inc., does hereby CONVEY and WARRANT to the following named Grantees, and each of them, and their respective successors and assigns, namely, to wit:

INDIANA & MICHIGAN ELECTRIC COMPANY, an Indiana corporation, GENERAL TELEPHONE COMPANY OF INDIANA, INC., an Indiana corporation, NORTHERN INDIANA PUBLIC SERVICE, an Indiana corporation, CITY OF FORT WAYNE, INDIANA, a municipal corporation of the State of Indiana, and CITIZEN CABLE OF FORT WAYNE, INC., a perpetual right of way and easement with the right, privilege and authority to the Grantees and each of them to their respective successors and assigns (1) to construct, erect, operate, maintain, repair, renew and replace a line or lines (overhead and/or underground) with all necessary or convenient poles, crossarms, structures, conduits, ducts, wires, cables, guys and other equipment and appurtenances, for the transmission, distribution and delivery of electrical energy or other power to the Grantees and each of them and to other persons, firms and corporations and to the public in general for light, heat, power, telephone, telegraph and all other purposes whatsoever in, upon, along, over, under, through or across the real estate hereinafter described; and (2) to lay, install, construct, operate, maintain, repair, renew and replace mains and a line or lines of pipe, with all necessary and convenient services, pipes, lines, connections, meters and other equipment and appurtenances, for the transportation and distribution of water to the Grantees and each of them and to other persons, firms and corporations and to the public in general for light, heat, power and all other purposes whatsoever in, upon, along, over, under, through or across the real estate described below and being as follows:

Part of the N $\frac{1}{2}$ Section 21, Township 31 N, Range 12 E, to wit:

Commencing at the southwest corner of Hatfield Road, where Hatfield Road intersects with Interstate Highway 69 then east to the east boundary line of Hatfield Road; then north a distance of 549.9 feet; then west 50 feet to the west boundary line of Hatfield Road then south to the point of beginning known as vacated Hatfield Road.

TOGETHER with the right, privilege and authority to the Grantees, and each of them, and their respective successors and assigns, to cut and, at their option, remove from said real estate any trees, over-hanging branches, bushes or other perennial growth or other obstructions which might endanger the safety or interfere with the use of said poles, crossarms, structures, conduits, ducts, mains, pipes, wires, cables, guys and other equipment and appurtenances or any structure on the above described real estate; of full and complete right of ingress and egress to and over the above described real estate, and to and over adjoining lands of the Grantors where a public street or highway does not adjoin the above described real estate, at any and all times, for doing anything necessary, useful or convenient for the enjoyment of the easement herein granted; and of full and complete rights, easements, privileges and appurtenances in or to said real estate which may be required for the full enjoyment of the rights

R E S O L U T I O N
of the
CITY PLAN COMMISSION

WHEREAS, the City Plan Commission reviewed proposed annexation ordinance Bill No. X-79-04-12, and fiscal plan on May 21, 1979;

WHEREAS, all of the owners of the property in the territory proposed to be annexed have petitioned for annexation of the territory;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that the advantages to the City should outweigh the disadvantages in that the City should continue to realize a normal and active growth. This annexation will be in the best interest of and a benefit to the area involved and of and to the City; and the annexation will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the City Plan Commission proposes that Bill No. X-79-04-12 be effective immediately;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted as the meeting of the Fort Wayne City Plan Commission held May 21, 1979.

Thomas H. Adams

Thomas Adams
Secretary

Certified and signed this 21st day of May, 1979.

6-12 MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 12th day of June, 19 79 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 14th day of June, 19 79.

Charles W. Westerman / me
Charles W. Westerman
City Clerk

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, JUNE 12, 1979

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening June 12, 1979, in Regular Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman Clerk, at the desk, present the following members seven viz:

Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Absent: Two
V. Schmidt, Nuckols

The minutes of the last Regular May 22, 1979, Session having been delivered to the Council, were, on motion, approved and published.

COMMUNICATION FROM THE MAYOR

June 1, 1979

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today June 1, 1979, I have approved the following ordinances passed by the Common Council at its regular meeting on May 22, 1979.

(Bill No. A-79-04-10)
APPROPRIATION ORDINANCE NO. A-09-79

AN ORDINANCE of the City of Fort Wayne, Indiana, appropriating the sum of Two Million Six Hundred Thousand Dollars (\$2,600,000) to be applied on the cost of improving Baer Field, an airport owned and operated by The City of Fort Wayne, and expenses incurred in connection therewith

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

(Bill No. S-79-04-11)
SPECIAL ORDINANCE NO. S-74-79

AN ORDINANCE of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of the City for the purpose of providing funds to be applied on the cost of improving Baer Field and expenses incurred in connection therewith

(Bill No. S-79-04-13)
SPECIAL ORDINANCE NO. S-75-79

AN ORDINANCE approving an Agreement to Purchase by Jessie Kidd

(Bill No. S-79-04-14)
SPECIAL ORDINANCE NO. S-76-79

AN ORDINANCE approving Civil City Purchase Order No. 4-06184 with Morton Salt Company for Salt for the Street Department

(Bill No. S-79-05-21)
SPECIAL ORDINANCE NO. S-77-79

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF \$5,375,000 REVENUE OBLIGATIONS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF MAKING A LOAN TO ST. JOSEPH MEDICAL BUILDING ASSOCIATES IN ORDER TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN ECONOMIC DEVELOPMENT FACILITIES: AND AUTHORIZING EXECUTION OF A LOAN AGREEMENT, INDENTURE OF TRUST AND OTHER DOCUMENTS IN CONNECTION THEREWITH

(Bill No. S-79-05-22)
SPECIAL ORDINANCE NO. S-78-79

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1979 (GAST REALTY CORPORATION)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. R-79-05-06)
RESOLUTION NO. R-19-79

A RESOLUTION authorizing payment to Allen County Motors for repair of vehicle

(Bill No. R-79-05-23)
RESOLUTION NO. R-20-79

A RESOLUTION finding, determining and ratifying an inducement resolution of

the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$325,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-79-05-24)
RESOLUTION NO. R-21-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$6,500,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the applicant to proceed with the acquisition construction and equipping of the Project

(Bill No. R-79-05-27)
RESOLUTION NO. R-22-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$700,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. Z-79-03-18)
ZONING MAP ORDINANCE NO. Z-16-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-2

(Bill No. Z-79-03-21)
ZONING MAP ORDINANCE NO. Z-17-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-38 and Repealing Zoning Map Ordinance No. Z-15-78

(Bill No. Z-78-03-22)
ZONING MAP ORDINANCE NO. Z-18-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G2

(Bill No. G-79-03-17)
GENERAL ORDINANCE NO. G-11-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley

(Bill No. S-79-04-19)
SPECIAL ORDINANCE NO. S-79-79

AN ORDINANCE approving an Agreement with Westwood Development, Inc., for construction of a sanitary sewer

(Bill No. S-79-04-20)
SPECIAL ORDINANCE NO. S-80-79

AN ORDINANCE approving Sewer Contract No. 305-78, between the City of Fort Wayne, Indiana and Land Excavating, Inc., Contractor, for Southtown Mall Lift Station Elimination

(Bill No. S-79-04-21)
SPECIAL ORDINANCE NO. S-81-79

AN ORDINANCE approving an Agreement between City of Fort Wayne Board of Works and Southtown Mall Development Company for construction of Hanna Street - Tillman Road - Tillman Park Area Sanitary Sewer

(Bill No. S-79-04-22)
SPECIAL ORDINANCE NO. S-82-79

AN ORDINANCE approving City Utilities Purchase Order No. 0998 with Fuller Company % K.E. Jensen Company for equipment for the Three Rivers Filtration Plant

(Bill No. S-79-04-23)
SPECIAL ORDINANCE NO. S-83-79

AN ORDINANCE approving City Utilities Purchase Order No. 001015 with American Darling for equipment for the Water Maintenance & Service Department

(Bill No. X-79-02-41)
ANNEXATION ORDINANCE NO. X-02-79

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3

Respectfully yours,

Robert E. Armstrong
Mayor

Made a matter of record 6-12-79

Charles W. Westerman
City Clerk

COMMUNITY DEVELOPMENT AND PLANNING
COMMUNICATION FROM CITY PLAN COMMISSION

22 May 1979

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the CITY PLAN COMMISSION on one
(1) ordinance concerning the vacation of a dedicated street.

The proposed ordinance is designated as:

BILL NO. G-79-04-08

Respectfully submitted,

CITY PLAN COMMISSION

Thomas Adams
Secretary

Certified and signed this
22nd day of May, 1979

Made a matter of record 6-12-79

Charles W. Westerman
City Clerk

The City of Fort Wayne
Office of City Plan Commission

22 May 1979

Members of the Common Council
City-County Building

One Main Street
Fort Wayne, Indiana 46801

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) street vacation ordinance acted upon by the City Plan Commission at their regular meeting held May 21, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-04-08
2. Intended Use: Vacated right-of-way will be utilized by abutting property owners
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. This portion of Hatfield Road serves no public purpose.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING
Division of Long Range Planning and Zoning

Gary F. Baeten
Land Use Administrator

RESOLUTION

OF THE

CITY PLAN COMMISSION

BILL NO. X-79-04-12

(SOUTHTOWN MALL EXTENDED)

WHEREAS, the City Plan Commission reviewed proposed annexation ordinance Bill No. X-79-04-12, and fiscal plan on May 21, 1979;

WHEREAS, all of the owners of the property in the territory proposed to be annexed have petitioned for annexation of the territory:

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that the advantages to the City should outweigh the disadvantages in that the City should continue to realize a normal and active growth. This annexation will be in the best interest of and a benefit to the area involved and of and to the City; and the annexation will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the City Plan Commission proposes that Bill No. X-79-04-12 be effective immediately;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 21, 1979.

Thomas G. Adams
Secretary

Certified and signed this 21st day of May, 1979

Made a matter of record 6-12-79

Charles W. Westerman
City Clerk

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety
Regulatory Resolution Numbers 35/79/E

For the purpose of enforcement, please make this communication and the attached
Regulatory Resolutions a matter of record and incorporate it into the minutes
of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 6-12-79 Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 35/79/E)

I hereby certify that I did this 29th day of May, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 35/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 35/79/E

(Adopted May 29, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary

Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND
REGULATORY RESOLUTION 20/79/E; NO PARKING (TEMPORARY)
(EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 24, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective May 29, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (TEMPORARY)

(EMERGENCY)

Broadway (portions of)

--both sides--

from Berry St. to
Rudisill Blvd.

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety
Regulatory Resolution Numbers 36/79/E

For the purpose of enforcement, please make this communication and the attached
Regulatory Resolutions a matter of record and incorporate it into the minutes
of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 6-12-79

Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 36/79/E)

I hereby certify that I did this 31st day of May, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 36/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 36/79/E

(Adopted May 31, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 21/79/E: STOP INTERSECTION (EMERGENCY): 90 MINUTE PARKING 8:00 AM to 6:00 PM (EMERGENCY): TWO HOUR PARKING 8:00 AM TO 6:00 PM (EMERGENCY): DELETE: NO PARKING (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 29, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make

temporary or experimental regulations to cover special conditions, it is hereby ordered, effective May 31, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Woodshire Dr. --stop-- for Northgate Blvd.

90 MINUTE PARKING 8:00 AM to 6:00 PM (EMERGENCY)

Delaware Ave. --both sides-- from Kensington Blvd. to Pemberton Dr.

TWO HOUR PARKING 8:00 AM TO 6:00 PM (EMERGENCY)

Berry St. --north side-- from Maiden Lane to 100 ft. east of Ewing St.

DELETE:

NO PARKING (EMERGENCY)

Berry St. --north side-- from Maiden Lane to 100 ft. east of Ewing St.

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety
Regulatory Resolution Numbers 37/79/E and 38/79/E

For the purpose of enforcement, please make this communication and the attached
Regulatory Resolutions a matter of record and incorporate it into the minutes
of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 6-12-79

Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 37/79/E &
38/79/E)

I hereby certify that I did this 4th day of June, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 37/79/E & 38/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 37/79/E

(Adopted June 4, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 22/79/E: NO PARKING (EMERGENCY)
AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 31, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective June 4, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

<u>NO PARKING</u>	<u>(EMERGENCY)</u>	
No. Clinton St.	--both sides--	from Penn Ave. to Coldwater Rd.
Coldwater Rd.	--both sides--	from Coliseum Blvd. to No. Clinton St.
Edgewood Ave.	--both sides--	from Northrop St. to No. Clinton St.

REGULATORY RESOLUTION NO. 38/79.E

(Adopted June 4, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 31, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective June 4, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING

(EMERGENCY)

Winchester Rd. --both sides--

from Lower Huntington Rd. to
400 ft. North thereof

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety
Regulatory Resolution Numbers 39/79/E & 40/79/DFor the purpose of enforcement, please make this communication and the attached
Regulatory Resolutions a matter of record and incorporate it into the minutes
of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 6-12-79

Charles W. Westerman
City ClerkRETURN CERTIFICATE(Regulatory Resolution No. 39/79/E &
40/79/D)

I hereby certify that I did this 8th day of June, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 39/79/E & 40/79/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section

17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 39/79/E

(Adopted June 8, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 7, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective June 8, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Brighton Dr. --west side-- from Camden Dr. to CAatalina Ave.

REGULATORY RESOLUTION NO. 40/79/D

(Adopted June 8, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 7, 1979 submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective June 8, 1979 and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Brighton Dr.	--preferential at Stratton Rd.
Hastings Rd.	--preferential at Belfast Dr.
Pittsburgh St.	--preferential at Sidney St.
Winch St.	--preferential at Sidney St.

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 41/79/E, 42/79/D and 43/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes

of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 6-12-79 Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 41/79/E,
42/79/D and 43/79/E)

I hereby certify that I did this 12th day of June, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 41/79/E, 42/79/D and 43/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 41/79/E

(Adopted June 12, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 8, 1979 , submitted to this Board his advice with regard to the

regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective June 12, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Harrison St. --east side-- from Main St. to Superior St.

REGULATORY RESOLUTION NO. 42/79/D

(Adopted June 12, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to DELETE: PREFERENTIAL INTERSECTION (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 11, 1979, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective June 12, 1979, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

PREFERENTIAL INTER. SECTION (DELEGATED)

Drexel Ave. --preferential-- at Fruehauf Dr.

REGULATORY RESOLUTION NO. 43/79/E

(Adopted June 12, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 11, 1979 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective June 12, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Fruehauf Dr. --stop-- for Drexel Ave.

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 44/79/E and 45/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

W. Terry Coonan
Chairman - Board of Public Safety

Made a matter of record 6-12-79 Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 45/79/E &
44/79/E)

I hereby certify that I did this 13th day of June, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 44/79/E and 45/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Coonan
Chairman, Board of Public Safety

REGULATORY RESOLUTION NO. 44/79/E

(Adopted June 13, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary

Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 23/79/E: THRU STREET (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 11, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective June 13, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET

(EMERGENCY)

Goshen Rd.

--from--

State Blvd. to Coliseum Blvd., except at
State Blvd., Sherman Blvd., and Coliseum Blvd.

REGULATORY RESOLUTION NO. 45/79/E

(Adopted June 13, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 24/79/E for final trial period: TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY): DELETE: ONE HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 12, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4

of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective June 13, 1979 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

Barr St. --east side--	Berry St. to Wayne St.
Berry St. --north side--	Barr St. to Lafayette St.
Harrison St. --east side--	Main St. to Superior St.
Harrison St. --west side--	Berry St. to Main St.
Harrison St. --west side--	Washington Blvd. to Wayne St.
Wayne St. --both sides--	Harrison St. to Webster St.
Wayne St. --north side--	Clinton St. to Barr St.
Calhoun St. --both sides--	Clair St. to Superior St.

DELETE:

ONE HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

Barr St. --east side--	Berry St. to Wayne St.
Berry St. --north side--	Barr St. to Lafayette St.
Harrison St. --east side--	Main St. to Superior St.
Harrison St. --west side--	Berry St. to Main St.
Harrison St. --west side--	Washington Blvd. to Wayne St.
Wayne St. --both sides--	Harrison St. to Webster St.
Wayne St. --north side--	Clinton St. to Barr St.
Calhoun St. --both sides--	Clair St. to Superior St.

COMMUNICATION FROM VIVIAN G. SCHMIDT,
COUNCILWOMAN-AT-LARGE

June 8, 1979

To the Common Council
Fort Wayne, Indiana

Gentlemen:

I shall not be present at the Common Council meeting on June 12, 1979, as I shall be out of the city at that time.

Sincerely yours,

Vivian G. Schmidt
Councilwoman-at-large
Charles W. Westerman
City Clerk

Mad a matter of record 6-12-79

COMMUNICATION FROM JOHN NUCKOLS
COUNCILMAN 1ST DISTRICT

June 8, 1979

To the members of Common Council;
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

I will be unable to attend this evening's meeting because of out of town commitments.

Sincerely yours,

John Nuckols
Councilman, 1st District

Made a matter of record 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-06-09

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving Civil City Blanket
Purchase Orders Nos. B4-06376, B4-06377 and
B4-06378 with Bituminous Materials, Inc.
for materials for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That Civil City Blanket Purchase Orders Nos. B4-06376, B4-06377 and B4-06378, dated May 31, 1979, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Bituminous Materials, Inc., for Chip & Seal Asphalt Emulsion (Cationic) for the Street Department, all as more particularly set forth in said purchase orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same are in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Public Works

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-06-11

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving City Utilities
Purchase Order No. 1091 with Fort Meter
Box Company for equipment for the Water
Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1091, dated May 11, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Ford Meter Box Company for:

Basement Resetters for water meters, to be utilized
by the Water Maintenance & Service Department,

at a cost of \$3,234.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage

and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-06-12

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving Change Order No. 1,
Sewer Improvement Resolution No. 302-78,
in connection with Kruge Place Addition
Sanitary Sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Sewer Improvement Resolution No. 302-78, to Bercor, Inc., in connection with Kruge Place Addition Sanitary Sewer, for:

Additional stone, pipe, backfill, asphalt, fence and trees, as a result of relocating sewer line "A" along the north side of Lower Huntington Road,

in the amount of \$22,622.69, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-06-14

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving City Utilities
Purchase Order No. 1109 with Price
Brothers Company for equipment for the
Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1109, dated May 29, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Price Brothers Company, for:

Various sizes of Tapping Saddles for making water taps
for Water Maintenance & Service Department,

at a cost of \$3,988.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-06-15

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving Change Order No. 1
for Contract 77-W-3, in connection with
St. Joseph Dam and Pump Station Additions

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 for Contract 77-W-3 to
Shambaugh & Son, in connection with the St. Joseph Dam and Pump Station
Additions, for:

Adding a bus tie circuit breaker to metal-clad switch
gear, revising potential transformer wiring to that
shown and revising pump starter interlocks, rearrange
feeder wire for pump stations and revise new incoming
service cables,

in the amount of \$44,968.00, as set out in the specifications, is hereby in all
things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect
from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded
by Talarico, and duly adopted, read the second time by title and referred
to the Committee on City Utilities

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-06-16

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving City Utilities
Purchase Order No. 1087 with Tomco
Equipment Company for equipment for the
Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1987, dated May 11, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Tomco Equipment Company, for:

One Recarbonation Burner for Three Rivers Filtration
Plant,

at a cost of \$4,923.00 all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-06-17

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving City Utilities
Purchase Order No. 1090 with Overhead
Door Company for overhead doors for the
Water Pollution Control Maintenance
Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1090, dated May 11, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Overhead Door Company, for:

Three Overhead Doors for Water Pollution Control
Maintenance Department

at a cost of \$4,428.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-06-18

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving City Utilities
Purchase Order No. 1102 with General
Electric Apparatus Service Shop for
repair of Hydro-Electric Generator for
Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1102, dated May 16, 1979, between the City of Fort Wayne, by and through the City

Utilities Purchasing Agent and the Board of Public Works and General Electric Apparatus Service Shop, for:

Repair of Hydro-Electric Generator at the St. Joseph River Dam with on-site supervision for the assembly of the unit after repair for Three Rivers Filtration Plant,

at a cost of \$4,399.45, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-06-19

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving partial release of a sewer easement and authorizing the Mayor and City Clerk to execute and deliver a quit claim deed thereto

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Partial Release of Sewer Easement dated April 4, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Charles N. Hall, agent for Michael Hall, for:

Part of the East half of the Southeast Quarter of
Section 14, Township 31 North, Range 12 East, Allen

County, Indiana, more particularly described as follows, to wit:

Commencing at a point 40 feet north and 391 feet west of the Southeast corner of the East half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana; thence West and parallel to the South line of said E1/2, a distance of 338 feet to a point situated 14 feet West of the West line of a 1.0 acre tract conveyed to Nancy D. Cotton and Werner W. Newcomb, Jr. in a deed appearing in Document #75-23036 in the Office of the Recorder of Allen County, Indiana; thence Northerly, by a deflection angle right of 89 degr. 52 min. 30 sec. (recorded 89 degr. 53 min.) and parallel to the West line of said 1.0 acre tract, a distance of 25.0 feet to a point on the Northerly right-of-way line of Washington Center Road as established in Document #72-0497 in the Office of the Recorder of Allen County, Indiana, said point being the true point of beginning; thence continuing Northerly and parallel to the West line of said 1.0 acre tract, a distance of 225.0 feet; thence East and parallel to said South line, a distance of 14.0 feet to the West line of said 1.0 acre tract; thence southerly, on and along the West line of said 1.0 acre tract, a distance of 225.0 feet to said North right-of-way line; thence West, on and along said North right-of-way line, a distance of 14.0 feet to the true point of beginning.

all as more particularly set forth in said Partial Release of Easement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That to confirm said release, the Mayor and City Clerk of the City of Fort Wayne are hereby authorized to execute and deliver a Quit Claim Deed to the released portion of said easement described above, to Michael Hall as grantee.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-06-13

SPECIAL ORDINANCE NO. S-

AN ORDINANCE amending certain sections of
Chapter 24 "Sewer and Sewerage Systems"
so as to adjust rates and other provisions
prescribed therein

WHEREAS, it is necessary to adjust the rates charged for use of the Water Pollution Control service owned and operated by the City for the benefit of its inhabitants and of the inhabitants of the surrounding area who take advantage of its existence, and to make it mandatory that all inhabitants make connection for said service where available:

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 24 of the Municipal Code of the City of Fort Wayne, Indiana, 1974 is amended to be and read as follows:

Article II. General Provisions

201. Bylaws, Rules and Regulations. The Board of Public Works of the City of Fort Wayne shall, in accordance with the Statutes of Indiana, make and enforce whatever bylaws, rules and regulations it may deem necessary for the safe, economical and efficient management of the City's Sewage Utility, for the construction and use of building sewers and connections to the sewerage system, for the regulation, collection and refunding of the rates and charges for sewerage service and, in general, for the implementation of the provisions of this ordinance.
202. Requirements for Connection to Public Sewers. No owner or occupant of any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained and until he has satisfied his obligation to pay all assessments, reimbursements or pro rata shares of sewer extension costs laid against that property for public sewers installed to serve it. A tap permit given in error shall not operate to nullify any such obligation that has been duly recorded.

Tap permits shall be obtained from the City's Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of thirty-five dollars for each tap permit for a normal six-inch service, a fee of seventy dollars for each tap permit for a special six-inch service and a fee of seventy dollars for each tap permit service larger than six inches. After

making each sewer tap and building sewer installation, the tap contractor shall notify the Sewer Engineer so that the tap and the building sewer can be inspected and approved before the excavation is backfilled. Any tap or building sewer installation not made in accordance with the foregoing provisions shall be deemed an illegal installation and, upon discovery, shall be promptly disconnected at the expense of the property owner and shall remain disconnected until the provisions of this paragraph 202 have been complied with.

The Board of Public Works shall have the authority to require an owner of real property to disconnect from a building sewer which drains into a sanitary sewer any downspouts, yard drains or other drains which carry the runoff of natural precipitation. Property owners shall have thirty days after notice to comply with any such requirements.

New connections should be made only after there has been adequate assurance by City that the downstream facilities of the sewage works have adequate capacity to handle the new waste loadings.

No persons shall make connections of roof downspouts, exterior foundation drains, or other sources of surface run-off or ground water to a building sewer or building drain which is connected, directly or indirectly, to a sanitary sewer of the City.

Any and all private sewer systems of any kind now existing in or on premises where a public sewer is now or may hereafter become available shall be discontinued, emptied of its contents, cleaned out and be filled with earth or ashes, and the house sewer shall be disconnected from the existing private sewage system and be connected to the public sewer. All such connections to the public sewer shall be made within ninety days of the date the public sewer becomes available.

203. Extensions of Sewers Outside Corporate Limits. The installation, construction or extension of sewers by the City outside the corporate limits of the City and the connection or extension of sewers into the City's sewerage system from, by or for properties located outside such limits shall be prohibited, except upon prior approval by the Common Council of the City by duly enacted ordinance.
204. Connections to Sewerage System by Certain Out-of-City Properties. Notwithstanding the provisions of paragraph 203, the Board of Public Works of the City shall have the authority to permit a property located outside the corporate limits of the City to connect to an existing sewer which is part of the City's sewerage system, provided the property abuts, adjoins and is immediately contiguous to the street, alley or easement in which such sewer is located and provided the property owner or occupant has complied with the conditions set out in paragraph 202.

205. Violations and Penalties. Any person found to be violating or failing to comply with any of the provisions of paragraphs 202, 206, 301, 401 through 405, 501 through 503, 602 or 605 shall be served by the City with a written notice stating the nature of the violation and providing a reasonable time limit for its satisfactory correction. The offender shall, within the period of time state in the notice, permanently cease all violations.

Any person who shall continue any violation beyond the stated time limit shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine in any amount not less than \$100.00 and not more than \$500.00. Each day in which any such violation shall continue shall be deemed a separate offense.

Any person violating any of the provisions of the paragraphs set out above and convicted thereof shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.

206. Responsibility For City Property. No unauthorized person, firm or corporation shall maliciously, willfully, or negligently break, damage, destroy, remove, deface, or tamper with any structure, appurtenance, or equipment which is part of or belonging to the Water Pollution Control Plant. Any person violating this provision shall be subject to immediate arrest under charge of a misdemeanor.
207. Amendment. The City of Fort Wayne reserves the right to amend this chapter of the Municipal Code, including the rates herein established, in part or in whole, as provided and permitted by the Statutes of Indiana, whenever it may deem it necessary.

ARTICLE VII. USER CHARGES

701. User Volume Charges

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu.ft.)

	Class of User	
	<u>Domestic</u>	<u>Manufacturing</u>
Treatment	17.1	17.1
Conveyance, Collection, Billing	16.6	10.8
Capital	<u>10.7</u>	<u>8.1</u>
Total User Charge	<u>44.4</u>	<u>36.0</u>

702. User Minimum Charges

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule exhibited above does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage.

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
5/8 - 3/4"	\$ 2.22
1 - 1 1/2"	7.83
2"	15.98
3"	32.10
4"	53.36
6" or larger	148.21

703. User Flat Charges

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

<u>Classification of Customer</u>	<u>Monthly Flat Charge (1)</u>	
	<u>In-City</u>	<u>Out-City</u>
Domestic User - Single Family Residence	\$ 4.44	\$ 5.33
Domestic User - Multi Family Residence	To be estimated by City	
Commercial And Industrial User	To be estimated by City	

(1) Subject in addition, if applicable, to zone surcharge. Estimates of monthly flat charges for multi-family residences shall be based on the number of family units accommodated by the system multiplied by the single family residence monthly charges. Estimates of monthly flat charges for commercial and industrial establishments shall be either estimated based on number of employees, manufacturing processes used and other pertinent sewer use indicators or based upon outfall measurements where available.

704. Regional Contract Sewage Treatment Charges

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

Volume Charge (cents per 100 cu. ft.)

Treatment	17.1
Capital Charge	10.7
	<u>27.8</u>

Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to that portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$.50 and a monthly surveillance charge of \$75.00.

Excess Strength of Waste Surcharge

In the event a contract customer contribution waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

	<u>Cents Per Pound</u>
Suspended Solids - (SS)	3.587
Biochemical Oxygen Demand - (BOD)	3.582
Phosphorus - (P)	34.324

Capital Surcharge

In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

Zone Surcharge

The total of foregoing charges for which any contract customer will be liable to City hereunder may be increased by the zone surcharge rate set forth in Article IX hereafter if said contract customer qualifies by reason of location.

Other Provisions

In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by Chapter 24, the City shall have the right to impose all charges, limitations and penalties applicable to any non-contract user served by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that contract customer shall agree to enact and maintain a Sewer Use Ordinance, Industrial Cost Recovery System and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204B (1), Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35.905-8, 35.928-1 and 35.928-2, and 35.935-13.

705. Bulk Waste Charges

Industrial - For all industrial waste picked up from customer and hauled in City's vehicles to plant - \$148.75 per load.

Domestic - For all domestic waste delivered to plant by customer's truck or tank - \$21.75 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity.

706. Annual Review of Service Charges

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose will submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus from the sewage treatment plant influent during the previous calendar year, with the unit charges currently in effect, in order that the Board may determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

1. A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.
2. Total annual service charges and surcharges collected from each

individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility operation, attributable to such class.

ARTICLE VIII. STRENGTH-OF-WASTES SURCHARGE

801. Liability for Surcharge

Each user discharging wastes into the sewerage system shall be subject to a strength of wastes surcharge, in addition to other sewage service charges imposed by this ordinance, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than as follows:

- a. Biochemical oxygen demand of 220 milligrams per liter
- b. Chemical oxygen demand of 440 milligrams per liter
- c. Suspended solids content of 250 milligrams per liter
- d. Phosphorus content of 10 milligrams per liter

802. Computation of Surcharge

The surcharge shall be determined as follows:

- a. The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, and phosphorus will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 9.0062321 and then multiplying this product by the difference between (a) the concentrations measured in milligrams per liter of the BOD (or COD), suspended solids, and phosphorus respectively in the user's sewage and (b) the allowed concentrations set out in paragraph 801. The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in paragraph 803. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

803. Rates of Surcharge

The rate of surcharge for each of the aforementioned constituents shall be as follows:

- a. For biochemical oxygen demand - (BOD) 3.582 cents per pound
- b. For suspended solids (SS) 3.587 cents per pound
- c. For phosphorus (P) 34.324 cents per pound

804. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance, sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$75.00 per discharge point.

805. Revision of Rates of Surcharge

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewage Treatment Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board may determine whether the current rates of surcharge are adequate or should be changed and request legislative enactment of said changes by the Common Council.

SECTION 2. That this Ordinance shall be in full force and effect upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-06-06

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. K7 & L7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning May No. K7 & L7, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lots 71 thru 98 Nindes Addition; East 69.5' of
Lots 1 & 2 and Lots 4 thru 21 Kuhne & Heaton's
Addition; Lots 1 thru 4 O. S. Hanna's Addition;
Lots 1 thru 12 in VonKahlden's Addition; Lots
1 thru 10 VonKahlden's 2nd Addition; Lots 89
thru 92 in Federal 11th Addition; Lots 140 thru
148 and Lots 155 thru 165 in W.J. & M.S. Vesey's
3rd Addition; East 76' of Lots 74 & 75, Lots 80
thru 111, East 105' of Lots 114 & 115, East 50'
of Lot 116, Lots 120 thru 135 and Lots 138 & 139
in W. J. & M.S. Vesey's 2nd Addition.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilman

Read the first time in full and on motion by Talarico, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations and to the City Plan Commission for recommendation

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-06-07

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N-26

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R2 District under the terms of Chapter 33, Municipal Code of the City of

Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N-26, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lot #27 and 28, Highland Park Forest Addition to the
City of Fort Wayne, Indiana.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilman

Read the first time in full and on motion by Talarico, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations and to the City Plan Commission for recommendation

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. G-79-06-08

GENERAL ORDINANCE NO. G-

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
certain alleys

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. Petition for the vacation of two certain alleys having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following two alleys, to wit:

Item No. 1 -

The north-south alley extending south from
the south right-of-way of Wilt Street to
the north right-of-way of Lavina Street,
located east of Van Buren Street and west
of Broadway.

Item No. 2 - The east-west alley extending east from the east right-of-way of Van Buren Street to the west right-of-way of Broadway, located south of Wilt Street and north of Lavina Street.

SECTION 2. After passage of this ORdinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilman

Read the first time in full and on motion by Talarico, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations and to the City Plan Commission for recommendation

Date: 6-12-79 Charles W. Westerman
City Clerk

BILL NO. G-79-06-10

GENERAL ORDINANCE NO. G-

AN ORDINANCE approving the Board of Public Works proposed Capital Program Expenditures for 1980 and Amendment to the 1979 Capital Improvement Expenditures

WHEREAS, heretofore on April 11, 1973, General Ordinance No. G-07-73 was adopted requiring the Board of Public Works of the City of Fort Wayne to at least annually on or before the 30th day of June of each year provide the Common Council with itemized estimates of capital program expenditures for the succeeding fiscal years;

WHEREAS, said Board of Public Works does hereby submit to said Council said itemized estimates, all as set forth in Exhibits "A" and "C" attached hereto and hereby made a part hereof; and

WHEREAS, said Board of Public Works desires to amend said itemized estimates heretofore approved by the Common Council as General Ordinance G-14-78 by adding thereto those itemized estimates set forth in Exhibit "B" attached hereto and hereby made a part hereof.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. All estimates of captial programs presented by the Board of Public Works of the City of Fort Wayne to the Common Council of the City of Fort Wayne as shown on Exhibits "A" and "C: attached hereto and made a part hereof is now approved in whole by the Common Council of the City of Fort Wayne.

SECTION 2. All estimates of captial programs to be added to those heretofore approved by General Ordinance No. G-14-78 presented by the Board of Public Works of the City of Fort Wayne to the Common Council of the City of Fort Wayne as shown on Exhibit "B: attached hereto and made a part hereof is now approved in whole by the Common Council of the City of Fort Wayne.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Public Works

Date: 6-12-79

Charles W. Westerman
City Clerk

CORRECTION TO BE MADE IN THE COMMON COUNCIL PROCEEDINGS OF
APRIL 24, 1979 ----- PAGE 694

RESOLUTION NO. R-16-79 SHOULD READ RESOLUTION NO. R-23-79

BILL NO. A-79-05-01

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance appropriating funds from Fund No. 121 "Park General Fund" to Account No. 4-02-121-121-4265 "Services Contractual-Construction" to begin the reconstruction of the Diehm Museum have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance
DO PASS

William T. Hinga
James S. Stier
Donald J. Schmidt

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. A-79-05-01

APPROPRIATION ORDINANCE NO. A-10-79

AN ORDINANCE appropriating funds from
Fund No. 121 "Park General Fund" to
Account No. 4-02-121-121-5265 "Services
Contractual-Construction" to begin the
reconstruction of the Diehm Museum

WHEREAS, an EMERGENCY has arisen which makes necessary the appropriation of additional funds to Account No. 4-121-121-4265 "Services Contractual-Construction" in the 1979 budget of the Parks and Recreation Department, in the amount of \$15,000.00, to defray the expense for preliminary architectural design in the reconstruction of the Diehm Museum which was destroyed by fire, for which surplus funds exist in Fund No. 121 "Park General Fund", and which additional appropriation has been recommended by the City Controller.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby transferred from the unappropriated and unencumbered balance of Fund No. 121 "Park General Fund" to Account No. 4-02-121-121-4265 "Services Contractual-Construction," the sum of \$15,000.00.

SECTION 2. That the unexpended and unobligated balance in Fund No. 121 "Park General Fund" is hereby reduced in the amount of \$15,000.00.

SECTION 3. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Appropriation Ordinance No. A-10-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-02

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance

approving a certain bid document for purchase of paint supplies for the Summer Paint Program in the CDBG Target Neighborhoods have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols
Donald J. Schmidt

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. S-79-05-02

SPECIAL ORDINANCE NO. S-85-79

AN ORDINANCE approving a certain bid document for purchase of paint supplies for the Summer Paint Program in the CDBG Target Neighborhoods

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 888, dated April 24, 1979, between the City of Fort Wayne, by and through its Mayor and Community Development and Planning and the following companies for the purchase of paint and paint supplies for the Summer Paint Program in the Community Development Block Grant Target Neighborhoods, all as more particularly set forth in the purchase orders, numbers and amounts as hereafter set out, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

<u>PURCHASE ORDER NO.</u>	<u>COMPANY</u>	<u>AMOUNT</u>
4-06216	Ream-Steckbeck Paint Company	\$10,199.13
4-06217	Sherwin-Williams Paint Company	<u>910.14</u>
	TOTAL	\$11,109.27

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Councilwoman
Vivian G. Schmidt

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-85-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-03

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving an Agreement to purchase Real Estate from Helen Kaminski for Neighborhood Care, Inc. have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols
Donald J. Schmidt

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. S-79-05-03

SPECIAL ORDINANCE NO. S-86-79

AN ORDINANCE approving an Agreement to purchase Real Estate from Helen Kaminski for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase REal Estate dated May 10, 1979, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Helen Kaminski, for:

Lot 154 Drexel Park Addition, Fort Wayne, Indiana

for the total cost of \$8,125.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven

Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico

Nays: None

Absent: Two

Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-86-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-04

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving an Agreement to purchase Real Estate from Jessie May Longmire and Mary Evans for Neighborhood Care, Inc. have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols
Donald J. Schmidt

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. S-79-05-04

SPECIAL ORDINANCE NO. S-87-79

AN ORDINANCE approving an Agreement to
purchase Real Estate from Jessie May
Longmire and Mary Evans for Neighborhood
Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated
May 9, 1979, between the City of Fort Wayne, by and through its Mayor and
Neighborhood Care, Inc., and Jessie May Longmire and Mary Evans, for:

W 33' Lot 18 Lasalles Addition

for the total cost of \$5,400.00, all as more particularly set forth in said agreement
which is on file in the Office of Neighborhood Care, Inc., and is by reference
incorporated herein, made a part hereof and is hereby in all things ratified,
confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect
from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by
Hunter and duly adopted, placed on its passage. Passed by the following
vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-87-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-05

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving an Agreement to Purchase Real Estate from William Key for Neighborhood Care, Inc. have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Vivian G. Schmidt
William T. Hinga
James S. Stier
John Nuckols

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. S-79-05-05

SPECIAL ORDINANCE NO. S-88-79

AN ORDINANCE approving an Agreement to
purchase Real Estate from William Key
for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated
April 10, 1979, between the City of Fort Wayne, by and through its Mayor and
Neighborhood Care, Inc., and William Key, for:

W 24' Lot #78 Rockhill and Nelson Addition
Fort Wayne, Allen County, Indiana

for the total cost of \$3,300.00, all as more particularly set forth in said agreement
which is on file in the Office of Neighborhood Care, Inc., and is by reference
incorporated herein, made a part hereof and is hereby in all things ratified,
confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect
from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by
Stier and duly adopted, placed on its passage. Passed by the following
vote:

Ayes: Seven

Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico

Nays: None

Absent: Two

Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana as Special Ordinance No. S-88-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-01

RESOLUTION NO. R-24-79

A RESOLUTION approving the Budget of
Fort Wayne and Allen County Convention and
Tourism Authority for 12-month Period Beginning
January 1, 1979 and Ending December 31, 1979

WHEREAS, the Board of Managers of Fort Wayne and Allen County Convention and Tourism Authority has prepared and has submitted to the Common Council of the City of Fort Wayne its budget for the calendar year 1979 covering projected operating expenses, estimated income totally from Hotel room tax and a reserve fund, all as more particularly hereinafter set forth; and

WHEREAS, Burns Inc. Rev. Stat. 26-238, 1972 Cum. Poc. Supp. requires not only the County Council but also the Common Council of the City of Fort Wayne to review, approve or reject same; and

WHEREAS, the Common Council of the City of Fort Wayne has reviewed said 1979 annual budget.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following proposed budget for the 12 month period beginning January 1, 1979 and ending December 31, 1979 of Fort Wayne and Allen County Convention and Tourism Authority, which reads as follows:

INCOME

Estimated Income 1979	\$350,000.00
Interest Income	<u>150,000.00</u>
	\$500,000.00

BUDGETED EXPENSES

Consulting Fees/Expenses Incidental to Land Acquisition & Presentation of Project	\$150,000.00	
Administrative Expenses Rent, salaries, full-time Executives, etc.	40,000.00	
Attorney's Fees	10,000.00	
Expenses incidental to Bond Issue	175,000.00	
Miscellaneous Expenses Travel, Office supplies, etc.	<u>10,000.00</u>	
Total Budget Requested		\$385,000.00
TOTAL NEW FUNDS REQUIRED		\$385,000.00

is hereby approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Moses, D. Schmidt, Talarico
Nays: One
Stier
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-24-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-02

RESOLUTION NO. R- 25-79

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana, approving recommendation by the City of Fort Wayne and the Fort Wayne Redevelopment Commission and authorizing the Board of Public Works to proceed to acquire, construct, finance, operate and lease an off-street parking facility

WHEREAS, the City of Fort Wayne and the Fort Redevelopment Commission have, based on a study of the need for off-street parking facilities and their proper location, recommended to the Board of Public Safety that the City of Fort Wayne acquire, construct, finance, lease and operate an off-street parking facility located on the north one-half (1/2) of the block bordered by Washington, Clinton, Jefferson and Calhoun Streets in downtown Fort Wayne on the block denominated in the Civic Center Renewal Project as Block III; and

WHEREAS, the Common Council has determined that the acquisition, construction, financing, operation and leasing of the off-street parking facilities will promote the public safety, convenience and welfare, and aid in the policing of traffic in downtown Fort Wayne; and

WHEREAS, the Common Council desires to authorize the Board of Public Works to proceed with the recommended off-street parking project;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The recommendation contained in the resolution of the Board of Public Safety for the City of Fort Wayne to acquire, construct, finance, operate and lease an off-street parking facility on the north one-half (1/2) of the block denominated as Block III in the Civic Center Renewal Project, to be known as the Civic Center Parking Garage is approved and that resolution made a part hereof as Exhibit "A".

(H.I.)

SECTION 2. The City of Fort Wayne, by and through the Board of Public Works is authorized to proceed with the project pursuant to I.C. 19-5-11-1 and shall have power to take all steps and proceedings and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties and the execution of its powers under I.C. 19-5-11-1 for the acquisition, construction, financing, operation and leasing of the recommended off-street parking facility.

SECTION 3. The City of Fort Wayne shall accept the real estate upon which the Civic Center Parking Garage is to be located from the Fort Wayne Redevelopment Commission and reimburse the Capital Fund of the Commission in the sum of \$262,000.00 for a portion of the acquisition, demolition, relocation and architectural cost incurred by the Commission in connection with the CCPG.

SECTION 4. The commitment of United States Department of Housing and Urban Development to grant \$1,462,000.00 in funds as an Urban Development Action Grant to assist in the financing of the Civic Center Parking Garage, and the commitments of Indiana & Michigan Electric Company and The Peoples Trust Bank to lease space in the Civic Center Parking Garage (as provided in the lease attached hereto) may be accepted and the Board of Public Works and/or Mayor of the City of Fort Wayne is authorized to evidence that acceptance under such terms and conditions as deemed fit in the manner authorized by law and the estimated balance of the costs of the Civic Center Parking Garage in the sum of \$1,543,169.00 committed to be provided by the City of Fort Wayne out of revenues from the Civic Center Parking Garage, by the pledge and/or hypothecation of all or any part of the revenue to be received by the City from the Indiana & Michigan Electric Company and Peoples Trust Bank leases, or any other leases located within the Civic Center Parking Garage, from the sale of leasehold space in the Civic Center Parking Garage, and/or from such other sources as the City Council shall from time to time deem appropriate.

SECTION 5. That this Resolution shall be effective upon passage

and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Moses, Talarico, D. Schmidt
Nays: One
Stier
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-25-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-03

RESOLUTION NO. R-26-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$600,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, REG Properties, a partnership, (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 20,000 square foot manufacturing facility including the real estate, machinery and equipment and for the function of performing certain cosmetology to International Scouts to be located at 2007 Bremer Drive, Fort Wayne, Indiana, on an approximate 3 acre tract of land (the "Project"); and

WHEREAS, Ed Russell Industries, a corporation, will guarantee all bond payments, if necessary; and

WHEREAS, the diversification of industry and increase in 50 job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort

Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed \$600,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, en-

gineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Adopted this 12th day of May, 1979.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-26-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-04

RESOLUTION NO. R-27-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$650,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Wayne Hardware Company, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 20,000 square foot office and warehouse including the real estate, machinery and equipment and for the function of an office and warehouse to be located in Engle Ridge Industrial Park in Fort Wayne, Indiana, on an approximate 1.6 acre tract of land (the "Project"); and

WHEREAS, the diversification of economic development and an increase in 50 job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, Wayne Hardware Company, Inc., an Indiana Corporation, will guarantee all bond payments, if necessary; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed \$650,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees,

acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Adopted this 12th day of May, 1979

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven

Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico

Nays: None

Absent: Two

Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-27-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-05

RESOLUTION NO. R-28-79

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	<u>Vehicle</u>	<u>Insurance Payment</u>	<u>Repair Agency</u>
1)	Traffic Engineering Dept. unit No. 24, 1978 Ford Truck License Plate #M030022	\$ 537.22	James Truck Sales
2)	Police Dept. unit No. 13, 1978 Ford, 4 door sedan License Plate #M011113	614.80	Northway Chrysler Plymouth
3)	Police Dept. unit #159 1975 Chevrolet, 4 door sedan License Plate #2B9998	105.95	Northway Chrysler Plymouth
4)	Police Dept. unit No. 9, 1978 Ford, 4 door sedan License Plate #M011109	<u>500.00</u>	Northway Chrysler Plymouth
	TOTAL	\$1,757.97	

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven

Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico

Nays: None

Absent: Two

Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-28-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-04-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. N-19 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO NOT PASS

John Nuckols
 Samuel J. Talarico
 Vivian G. Schmidt
 James S. Stier
 William T. Hinga

Concurred in 6-12-79 Charles W. Westerman
 City Clerk

BILL NO. Z-79-04-07

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
 Fort Wayne Zoning Map No. N-19

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
 FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N-19, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lot No. 42 in Philley's Subdivision Amended to the
 City of Fort Wayne, Indiana, commonly known as
 900 East Pettit Avenue.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
 Councilman

Read the third time in full and on motion by Talarico, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
 Nays: Seven

Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
 Absent: Two Nuckols, V. Schmidt
 Date: 6-12-79 Charles W. Westerman
 City Clerk

BILL NO. Z-79-04-18

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. 0-35 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO NOT PASS

John Nuckols
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
William T. Hinga

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. Z-79-04-18

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. 0-35

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 0-35, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

N. 80' of S. 160' of E. 272.25' of the N 1/2 of the
SE. 1/4 of Section 36, T 30 N. R. 12 E., to the City
of Fort Wayne, Allen County, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Talarico, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None

Nays: Six

Burns, Hinga, Hunter, Moses, Stier, Talarico

Abstained: One

D. Schmidt

Absent: Two

Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-05-13

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving Change Order No. 1, in connection with the McKinley-Connett-Edwards Sanitary Sewer have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PAS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
Donald J. Schmidt
James S. Stier

Concurred in 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-05-13

SPECIAL ORDINANCE NO. S-84-79

AN ORDINANCE approving Change Order No. 1,
in connection with the McKinley-Connett-
Edwards Sanitary Sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to T & G Excavating, in connection with the McKinley-Connett-Edwards Sanitary Sewer Improvement Resolution No. 876-78, for:

Backfill, special backfill, stone for driveway surface, asphalt surface driveways and double chip and seal, necessitated by the realignment of sanitary sewer into street areas,

in the amount of \$10,194.20, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date :6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-84-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-14

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving Change Order No. 23, in connection with Division 1, Water Pollution Control Plant Additions have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Donald J. Schmidt
James S. Stier

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. S-79-05-14

SPECIAL ORDINANCE NO. S-89-79

AN ORDINANCE approving Change Order
No. 23, in connection with Division 1,
Water Pollution Control Plant Additions

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 23 to Hagerman-Shambaugh, Joint Bidders, in connection with Division 1, Water Pollution Control Plant Additions, Water Quality Control Project, for:

replacement of transmitter, recalibration, repair water leak at joint in aeration influent channel, repair chlorine solution line, connect existing stainless steel engine exhaust pipe to existing masonry exhaust stack, install additional 110 volt power circuits, install new fire suppression system, install monitoring equipment in three different regulators, revise new engine cooling water and heat recovery piping system, relocate stainless steel battery room vent, change location of three plant intercom units and add one new wall mounted unit, change two branch circuit breakers and trip element, replace deteriorated wooden portion of emergency D.C. power battery rack, replace new septic sludge pump and finally, extend time of contract completion 300 calendar days from September 9, 1978 to July 6, 1979,, to obtain and install materials and labor covered in this Change Order,

in the amount of \$47,025.50, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven

Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico

Nays: None

Absent: Two

Moses, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-89-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-15

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving City Utilities Purchase Order No. 1079 with Clow Corporation for equipment for the Water Maintenance & Service Department have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul m. Burns
Samuel J. Talarico
Vivian G. Schmidt
Donald J. Schmidt
James S. Stier

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. S-79-05-15

SPECIAL ORDINANCE NO. S-90-79

AN ORDINANCE approving City Utilities
Purchase Order No. 1079 with Clow
Corporation for equipment for the Water
Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1079, dated May 10, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Clow Corporation, for:

Ductile Iron Pipe for use by the Water Maintenance
& Service Department,

at a cost of \$6,516.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven

Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico

Nays: None

Absent: Two

Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-90-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-16

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving City Utilities Purchase Order No. 1069 with Rockwell International for Supplies for the Water Maintenance & Service Department have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
Donald J. Schmidt
James S. Stier

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. S-79-05-16

SPECIAL ORDINANCE NO. S-91-79

AN ORDINANCE approving City Utilities
Purchase Order No. 1069 with Rockwell
International for supplies for the
Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1069, dated May 3, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Rockwell International, for:

Stainless Steel Repair Clamps for meters in stock
and in use by the Water Maintenance & Service
Department,

at a cost of \$3,329.74, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
V. Schmidt, Nuckols

Date: 6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S- 91-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-17

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving Water Contract #7902, between the City of Fort Wayne, Indiana and Westwood Development, Inc. for installing water main system have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
Donald J. Schmidt
James S. Stier

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. S-79-05-17

SPECIAL ORDINANCE NO. S-92-79

AN ORDINANCE approving Water Contract
#7902, between the City of Fort Wayne,
Indiana and Westwood Development, Inc.
for installing water main system

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated April 30, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Westwood Development Inc., for:

installing a Water Main System in Westwood Valley,
Sec. I to serve Wood Valley Drive, Bellflower Lane,
Overlook Drive and Autumn Leaf Lane,

under Board of Public Works Water Contract #7902, at a total cost of \$50,018.48, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-92-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-18

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving a contract for Street Light Resolution No. 136-79, between the City of Fort Wayne, Indiana, and T & F Construction Corporation of Indiana for street lighting for Northwest Central Phase III have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
Donald J. Schmidt
James S. Stier

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. S-79-05-18

SPECIAL ORDINANCE NO. S-93-79

AN ORDINANCE approving a contract for
Street Light Resolution No. 136-79,
between the City of Fort Wayne, Indiana,
and T & F Construction Corporation of
Indiana for street lighting for Northwest
Central Phase III

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated April 23, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and T & F Construction Corporation of Indiana, Contractor, for:

installation of ornamental street lighting for
Northwest Central Phase III,

under Board of Public Works Street Light Resolution No. 136-79, at a total cost of \$33,780.50, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-93-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-19

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving blanket City Utilities Purchase Order Nos. B-1060 to B-1062, inclusive, for Office Supplies for the Office Services Department have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
Donald J. Schmidt
James S. Stier

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. S-79-05-19

SPECIAL ORDINANCE NO. S-94-79

AN ORDINANCE approving blanket City
Utilities Purchase Order Nos. B-1060
to B-1062, inclusive, for Office Supplies
for the Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Blanket Purchase Orders, numbered and listed below, dated May 1, 1979, between the City Utilities Purchasing Agent and the Board of Public Works and the following companies for the purchase of office supplies for the Office Services Department, all

as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

<u>COMPANY</u>	<u>C.U.P.O.#</u>
Business Equipment Company	B-1060
Shrex of Fort Wayne	B-1061
Doubleday Brothers & Company	B-1062

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
V. Schmidt, Nuckols

Date: 6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-94-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-20

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving a contract for Water Contract No. 79-XP-1, between the City of Fort Wayne, Indiana and Ground Service, Inc. for construction of water main have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Samuel J. Talarico
Vivian G. Schmidt
Donald J. Schmidt
James S. Stier

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. S-79-05-20

SPECIAL ORDINANCE NO. S-95-79

AN ORDINANCE approving a contract for Water Contract No. 79-XP-1, between the City of Fort Wayne, Indiana and Ground Service, Inc. for construction of water main

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated April 23, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board

Of Public Works and Ground Service, Inc., for:

installation of 365 + feet of 12" water main on Getz
Road across West Jefferson Boulevard,

under Board of Public Works Water Contract No. 79-XP-1, at a total cost of \$24,425.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-95-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. X-79-04-12

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 5 (SOUTHTOWN MALL) have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

James S. Stier
William T. Hinga
Vivian G. Schmidt
John Nuckols
Samuel J. Talarico

Concurred in 6-12-79 Charles W. Westerman
City Clerk

BILL NO. X-79-04-12

ANNEXATION ORDINANCE NO. X-03-79

AN ORDINANCE annexing certain territory
to the City of Fort Wayne and including the
same in Councilmanic District No. 5

WHEREAS, the owners of the territory described below have petitioned that the territory be annexed to the City; and,

WHEREAS, it is the desire of the City of Fort Wayne to annex the territory described below; and,

WHEREAS, the territory described below is contiguous to the corporate limits;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

PARCEL A

A part of the Southeast Quarter of the Northwest Quarter of Section 36, Township 30 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Beginning on the east line of said quarter-quarter section, South 00 degrees 00 minutes 11 seconds West (assumed bearing) 1915.43 feet from the northeast corner of said Northwest Quarter Section; thence South 00 degrees 00 minutes 11 seconds West along said east line 715.42 feet to the southeast corner of said quarter-quarter section; thence North 89 degrees 41 minutes 41 seconds West along the south line of said quarter-quarter section 500.00 feet; thence North 00 degrees 00 minutes 11 seconds East 715.78; thence South 89 degrees 39 minutes 16 seconds East parallel with the north line of said quarter-quarter section 500.00 feet to the point of beginning, containing 8.214 acres, more or less, subject to all legal highways, rights-of-way and easements.

AND

PARCEL B

A part of the Southeast Quarter of the Northwest Quarter of Section 36, Township 30 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Beginning at the northeast corner of said quarter-quarter section, South 00 degrees 00 minutes 11 seconds West (assumed bearing) 1315.43 feet from the northeast corner of said Northwest Quarter Section; thence South 00 degrees 00 minutes 11 seconds West along the east line of said quarter-quarter section

600.00 feet; thence North 89 degrees 39 minutes 16 seconds West parallel with the north line of said quarter-quarter section 500.00 feet; thence North 00 degrees 00 minutes 11 seconds East parallel with the east line of said quarter-quarter section 600.00 feet to the north line of said quarter-quarter section; thence South 89 degrees 39 minutes 16 seconds East along said north line 500.00 feet to the point of beginning, containing 6.887 acres, more or less, subject to all legal highways, right-of-way and easements.

AND

A part of Section 36, Township 30 North, Range 12 East, Allen County, Indiana described as follows: All of the Southeast Quarter of the Northwest Quarter of said section containing 39.762 acres, more or less.

EXCEPT: Beginning Northerly 82.4 feet along the west line of said quarter-quarter section from the southwest corner of said quarter-quarter section; thence continuing Northerly 385.0 feet along said west line; thence Easterly 228 feet perpendicular to said west line; thence Southerly 385.0 feet parallel with said west line; thence Westerly 228 feet perpendicular to said west line to the point of beginning and containing 2.015 acres, more or less.

EXCEPT: Parcel A, as described above

EXCEPT: Parcel B, as described above.

Containing after said exceptions 22.646 acres, more or less.

AND

The North 400 feet of the Northeast Quarter of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana containing 12.091 acres, more or less.

AND

The North 400 feet of the East 400 feet of the East Half of the Northwest Quarter of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, containing 3.673 acres, more or less.

The total area containing approximately 53.511 acres, more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above-described territory, within a period of three (3) years, governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city to other areas of the city which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. Governmental and proprietary services which will be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

SECTION 4. Said annexed territory shall be part of Councilmanic District No. 5 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the City of Fort Wayne, Indiana, 1974.

SECTION 5. After its passage, approval by the Mayor and final publication, this ordinance shall be in force and effect.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Burns and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
V. Schmidt, Nuckols

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-03-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City ClerkWinfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 12th day of June, 1979, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions

remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne,
Indiana, this 14th day of June, 1979.

Charles W. Westerman
City Clerk

Minutes approved and signed in open council this 26th day of
June, 1979.

ATTEST:

(SEAL)

CITY CLERK

PRESIDING OFFICER